

attention, even if a question affecting the independence of the nation was to be decided by considerations of immediate profit.

But the true effect of the proposition would be to open an indirect trade with Great-Britain, which through St. Bartholomew and Havanna, Lisbon, Cadiz or Gottenburg, would receive, at prices reduced by glutted markets and for want of competition, all the provisions, naval stores, raw materials for her manufactures, and other articles which she may want. Whether she would be satisfied with that favourable state of things, or whether, considering that boon as a pledge of unqualified submission, she would, according to the tenor of her orders, interrupt our scanty commerce with Russia, and occasionally, under some new pretext, capture rather than purchase, the cargoes intended for her own use, is equally uncertain and unimportant. Nor can it be doubted that a measure, which would supply exclusively one of the belligerents, would be war with the other. Considered merely as a question of profit, it would be much more eligible at once to raise the embargo in relation to Great-Britain, as we would then, at least, have the advantages of a direct market with the consumer. But the proposition can only be defended on the ground that France is the only aggressor, and, that having no just reason to complain of England, it is our duty to submit to her orders. On that inadmissible supposition, it would not only be more candid, but also a more dignified, as well as more advantageous course, openly to join England, and to make war against France. The object would be clearly understood, an ally would be obtained, and the meanness of submission might be better palliated.

It appears unnecessary to pursue any further the examination of propositions, which the difficult situation of the United States could alone have suggested, and which will prove more inadmissible, or impracticable, as the subject is more thoroughly investigated. The alternative is painful; it is between a continued suspension of commerce, and war with both England and France. But the choice must ultimately be made between the two; and it is important that we should be prepared for either the one or the other.

The aggressions of England and France, collectively, affecting almost the whole of our commerce, and persisted in, notwithstanding repeated remonstrances, explanations and propositions, the most candid and unexceptionable, are, to all intents and purposes, a maritime war waged by both nations against the United States. It cannot be denied that the ultimate and only effectual mode of resisting that warfare, if persisted in, is war. A permanent suspension of commerce, after repeated and unavailing efforts to obtain peace, would not properly be resistance: It would be withdrawing from the contest, and abandoning our indisputable right freely to navigate the ocean. The present unsettled state of the world, the extraordinary situation in which the United States are placed, and the necessity, if war be resorted to, of making it at the same time against both nations, and these the two most powerful of the world, are the principal causes of hesitation. There would be none in resorting to that remedy, however calamitous, if a selection could be made on any principle of justice, or without a sacrifice of national independence.

On a question of such difficulty, involving the most important interests of the union, and which has not, perhaps, until lately, been sufficiently considered, your committee think the house alone competent to pronounce a decisive opinion; and they have, in this report, confined themselves to an exposition of the subject, and to such introductory resolutions, as will be equally applicable to either alternative. The first of these, being merely declaratory of a determination not to submit to foreign aggressions, may, perhaps, at a first view, appear superfluous. It is, however, believed by the committee, that a pledge by the representatives of the nation, that they will not abandon its essential rights, will not at this critical moment be unacceptable. The misapprehensions which seem to have existed, and the misrepresentations which have been circulated, respecting the state of our foreign relations, render also such declaration expedient. And it may not be useless that every foreign nation should understand, that its aggressions never will be justified or encouraged by any description of American citizens. For the question for every citizen now is, whether he will rally round the government of his choice, or enlist under foreign banners? Whether he will be for his country, or against his country?

The committee respectfully submit the following resolutions:

1. *Resolved*, That the United States cannot, without a sacrifice of their rights, honour and independence, submit to the late edicts of Great-Britain and France.

2. *Resolved*, That it is expedient to prohibit, by law, the admission into the ports of the United States of all public or private armed or unarmed ships or vessels belonging to Great-Britain or France, or to any other of the belligerent powers, having in force orders or decrees violating the lawful commerce and neutral rights of the United States; and also the importation of any goods, wares or merchandise, the growth, produce or manufacture of the dominions of any of the said powers, or imported from any place in the possession of either.

3. *Resolved*, That measures ought to be immediately taken for placing the country in a more complete state of defence.

[The preceding report and resolutions were referred to the committee of the whole house, made the order of the day for Thursday last, and 5000 copies ordered to be printed.]

## Annapolis:

THURSDAY, DECEMBER 1, 1808.

### Legislature of Maryland.

#### HOUSE OF DELEGATES.

WEDNESDAY, November 23, 1808.

THE house met: Present as on yesterday. The proceedings of yesterday were read. Mr. Wilson appeared in the house.

Leave given to bring in a bill to abolish all such parts of the constitution and form of government of this state as relate to the mode of filling up vacancies in the senate.

Mr. R. Steuart delivers a bill, entitled, An act for the relief of Jacob Bantz, of the city of Baltimore; which was read.

A petition from Richard Dallam and Josias William Dallam, of Harford county, praying the treasurer may be directed to reimburse them for deficiency found in a tract of land, with interest, and a petition from sundry inhabitants of Harford county, praying for a road, were preferred, read and referred.

Mr. Baer delivers a bill, entitled, An act authorising repairs to the old, or the erection of a new, gaol in Frederick-town, in Frederick county; which was read.

Mr. Bland delivers a bill, entitled, An act to establish a permanent salary for the chief justice of the court of oyer and terminer and gaol delivery for Baltimore county; which was read.

On the second reading of the message relative to the appointment of a senator in the senate of the United States, the question was put, That the whole of the message from the word consideration be stricken out, for the purpose of inserting the words "and being firmly persuaded, that the present critical situation of the United States, and the interest of this state, demand that a senator should be elected, we agree to-morrow to go into the election of a senator from this state to the United States, agreeably to the proposal contained in your message." Determined in the negative, yeas 37, nays 40.

The message being read throughout, the question was put, That the house agree to the same? Resolved in the affirmative, yeas 40, nays 37, and sent to the senate.

A petition from William H. Smith, of Baltimore county, praying a special act of insolvency, was preferred, read and referred.

Mr. Frazier delivers a bill, entitled, An act authorising Thomas J. Pattison, late sheriff and collector of Dorchester county, to complete his collection; which was read.

Ordered, That the further supplement to an act, entitled, An act for the better regulation of apprentices, be recommended for amendment, and that Mr. Spencer and Mr. Parnham be added to the committee appointed to prepare and bring in the same.

The house adjourns till to-morrow morning.

THURSDAY, November 24, 1808.

THE house met. Present as on yesterday. The proceedings of yesterday were read.

The report of the committee of elections and privileges was read the second time and concurred with.

The clerk of the senate delivers the bill for the relief of John Garner, endorsed, "will pass with the proposed amendments," which amendments were read.

The bill for the relief of Benjamin Buckler, was read the second time, passed, and sent to the senate.

A petition from sundry inhabitants of Frederick county, praying for a road, was preferred, read and referred.

Mr. Baer delivers a bill, entitled, An act authorising the appointment of commissioners to review the public road leading through the lands of Elizabeth Charlton and Mary Sim, of Frederick county; which was read.

Mr. McMahon delivers a bill, entitled, An act to reduce the per diem of the judges and clerks of elections in Allegany county; which was read.

A petition from the minister, elders, wardens and members, of the German evangelic lutheran congregation of Frederick-town, praying a lottery for the benefit of their church, was preferred, read and referred.

Mr. Young delivers a bill, entitled, An act to repeal part of the seventh section of an act, entitled, A further supplement to an act, entitled, An act for the regulation and improvement of Denton, in Caroline county; which was read.

On motion, the question was put, That the order of this house, relative to the second reading of the resolutions disapproving of the embargo, be rescinded? Resolved in the affirmative.

On motion, the question was put, That the said resolutions have a second reading on Tuesday next? Determined in the negative.

The house proceeded to the second reading of the said resolutions, and, on motion, the question was put, That the following be inserted after the word "whereas," viz. "the unjust and unwise policy pursued by the two great belligerents of Europe against the commerce of the United States, have produced a crisis unusually momentous and interesting in our foreign and domestic relations: And whereas the late communications to congress by the president, fully evince his ardent desire to pursue the peace, happiness and neutrality, of the union; therefore Resolved, by the general assembly of Maryland, That the late executive overtures to the governments of France and England, in relation to commercial rights and injuries,

contain a liberal and wise system of policy, calculated to restore commerce to her former condition, without compromising the dignity or neutrality of the United States.

"Resolved, That we have full confidence in the patriotism and virtue of congress, and are prepared to adopt and enforce those measures, either of peace or war, which their wisdom may direct."

The yeas and nays being required, appeared as follows:

Affirmative.—Messieurs Angier, Brice, Welch, Hodges, Belt, O. Williams, Merriken, Sandbury, Harryman, Randall, Brown, Stevens, Seth, Mitchell, Porter, Veazey, Hart, Muir, Boyle, Hopper, Spencer, Wright, Scott, Forwood, Streett, Sanders, Davis, Bayard, Willis, R. Steuart, Bland, Tilghman, Gabby, Downey, Bowles.—35.

Negative.—Messieurs Hebb, Neale, Blakiston, Hopewell, Reynolds, Blake, Ireland, Graham, Stuart, Chapman, Dorsey, Parnham, Edmondson, Bayly, Gale, Cottman, Ennalls, Frazier, Dennis, Griffith, Page, Perrie, Herbert, Beall, Hayward, Wilson, T. N. Williams, Bennett, Baer, J. H. Thomas, Sappington, J. Thomas, Hughlett, Young, Carroll, Gaither, S. Thomas, Veatch, Hilleary, McMahon, Tomlinson, Reid.—42.

So it was determined in the negative.

The resolutions being read throughout, and some time spent in debating the same, the house adjourned till to-morrow morning.

FRIDAY, November 25, 1808.

THE house met. Present as on yesterday. The proceedings of yesterday were read.

A petition from James Mulvany, of Washington county, stating that he has not been naturalized, and praying his title to real property may be confirmed, was preferred, read and referred.

The clerk of the senate delivers the bill to make public a road in Prince-George's county, endorsed, "will pass with the proposed amendments," which amendments were read.

A petition from sundry inhabitants of Baltimore county, praying for a road, and a petition from the trustees of Lion church, in Baltimore county, praying for a road, were preferred, read and referred.

Mr. Cottman delivers a bill, entitled, An act authorising George Robertson and Dorothy Robertson to convey certain lands therein mentioned; which was read.

Mr. Tilghman delivers a bill, entitled, An act for the relief of James Mulvany, of Washington county, which was read.

The supplement to an act authorising a lottery to raise a sum of money for the purpose of finishing the steeple of Saint-John's church, in Elizabeth-town, Washington county, and for other purposes, was read the second time, and passed.

The house resumed the consideration of the resolutions disapproving the embargo, and after some time spent in debating the same, the house adjourned till to-morrow morning.

SATURDAY, November 26, 1808.

THE house met. Present as on yesterday. The proceedings of yesterday were read.

The supplement to an act authorising a lottery to raise a sum of money for the purpose of finishing the steeple of Saint-John's church, in Elizabeth-town, Washington county, and for other purposes, was read to the senate.

A petition from Thomas Owings, and others, of Baltimore county, praying they may be authorized to open a certain road, was preferred, read and referred.

A petition from the grand jury of Queen-Anne county, stating that the judges of said county have decided that the evidence of one free negro not competent against another in capital cases, and praying that the propriety of remedying the inconveniences resulting therefrom may be taken into consideration, was preferred, read and referred.

The house resumed the consideration of the resolutions disapproving the embargo, and, on motion, the question was put, That the house concur therewith? The yeas and nays being required, appeared as follows:

Affirmative.—Messieurs Hebb, Neale, Blakiston, Hopewell, Reynolds, Blake, Ireland, Graham, Stuart, Chapman, Dorsey, Parnham, Edmondson, Bayly, Gale, Cottman, Frazier, Dennis, Griffith, Page, Perrie, Herbert, Beall, Hayward, Wilson, T. N. Williams, Bennett, Baer, J. H. Thomas, Sappington, J. Thomas, Hughlett, Young, Carroll, Gaither, S. Thomas, Veatch, Hilleary, McMahon, Tomlinson, Reid.—41.

Negative.—Messieurs Angier, Brice, Welch, Mitchell, Hodges, Belt, O. Williams, Merriken, Sandbury, Harryman, Randall, Brown, Stevens, Seth, Ennalls, Mitchell, Porter, Veazey, Hart, Boyle, Hopper, Spencer, Wright, Scott, Forwood, Streett, Sanders, Davis, Bayard, Willis, R. Steuart, Bland, Tilghman, Gabby, Downey, Bowles.—36.

So it was resolved in the affirmative.

Mr. Carroll has leave of absence.

The house adjourns till Monday morning.

MONDAY, November 28, 1808.

THE house met. Present as on Saturday, Mr. Carroll. The proceedings of Saturday were read.

The resolutions disapproving of the embargo were sent to the senate.

Mr. Willis, Mr. Hughlett, Mr. Brice and Mr. Welch have leave of absence.

Ordered, That Mr. J. Thomas and Mr. Baer be added to the committee appointed on the resolutions from the war department.